

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawaii 96813

January 8th, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

SUBJECT: REQUESTING APPROVAL TO GRANT A MONTH-TO-MONTH REVOCABLE PERMIT TO THE SAND ISLAND OFF HIGHWAY VEHICLE ASSOCIATION (SIOHVA) FOR THE MANAGEMENT OF A 30 ACRE PORTION OF SAND ISLAND STATE RECREATION AREA, OAHU, FOR OFF HIGHWAY VEHICLE RECREATION

INFORMATION

<u>Project Name:</u>	Sand Island State Park OHV Riding Area
<u>Project Location:</u>	1640 Sand Island Parkway-Honolulu 96819
<u>Land Ownership:</u>	State of Hawaii - DLNR - Division of State Parks
<u>Tax Map Key:</u>	1-5-41: 6 (portion of)
<u>Land Area:</u>	30 Acres / of 141.382 acres
<u>Special Management Area:</u>	Within SMA

PROJECT HISTORY

Personal thrill craft such as jet skis, snowmobiles, ATV's and off road motorcycles, are the fastest growing recreational pursuits in the United States. In Hawaii, Off Highway Vehicles (OHV's) - particularly ATV's and off road motorcycles, have been observed by public and private land managers as an increasing use, creating public safety, environmental and trespass issues statewide. During a 2005 Oahu workshop on OHV management sponsored by the State Na Ala Hele Trail and Access Program (NAH) and the National Off-Highway Vehicle Conservation Council, a group of O'ahu OHV riders approached NAH staff to discuss the possibility of creating a new area for authorized OHV use, and specifically identified a 30-acre portion of unused land at Sand Island State Recreation Area (Park) as a potential riding area.

This portion of the Park has been subjected to years of illegal dumping of debris such as concrete and asphalt tailings, various rubble and biomass, and is comprised of irregular topography from previous military use that included the creation of a series of 6 foot high berms fronting the shoreline, that also inadvertently assist in the containment of potential run-off from the Park into the sea. The site also includes unmitigated growth of invasive long-thorn kiawe and seasonal indigents and homeless.

ITEM E-1

Due to the unmanaged and degraded physical condition, the location adjacent to industrial activity in the Urban District, close proximity to the Honolulu City and County Sewage Treatment Plant, and being directly under the flight path of Honolulu International Airport, DLNR staff determined that public resistance and potential impacts to citing OHV use in this area would be minimal, if at all, and staff supported the proposal and location.

The basic premise that also alleviated staff concern regarding limited funding, lack of expertise in OHV trail and track development, and an already saturated work load – is that the OHV riders would form a not-for-profit organization and manage the site independently of DLNR budget and staff support via a lease or other form of approval.

Dialogue was initiated between NAH staff and Division of State Parks (DSP) staff. With support and approval from DSP, the concept was shared with various community representatives, pertinent Neighborhood Boards and elected officials who represent the area, and discussion ensued to determine if there would be any associated community concerns. To date, the response from the community has been positive and supportive.

Staff recognized that this project will also alleviate the growing pressure on the inappropriate public and private lands subject to unauthorized and increasing OHV use and provide an additional, authorized, safe and managed public location for OHV activity. There is only one other location on Oahu for authorized OHV use: the Kahuku Motorsports Park is on Unencumbered State Land and is subservient to a General Lease issued to the Army that only allows for public access on weekends and holidays. This riding area has been authorized under a Revocable Permit with Land Division since the 1970's and according to riders is at capacity on a frequent basis.

PERMITTING

On September 8th 2006, the Board approved in concept the creation of an OHV riding area in this portion of the Park that would be managed by SIOHVA, initially under the terms of a general lease, and also authorized the issuance of a Right of Entry (ROE) to SIOHVA. During this time, DLNR Staff initiated and completed both a Special Management Area (SMA) Minor Permit and a final Environmental Assessment in-house to minimize costs due to a very limited budget. A \$30,000 budget was allocated to the project by NAH via the Federal Recreational Trail Program (RTP) funds that require a percentage of the grant be applied towards motorized recreational activity.

Using donated heavy equipment, SIOHVA volunteers initiated cleaning up years of rubbish and rubble, grubbing the kiawe, spreading donated recycled asphalt for parking – and unknowingly and inadvertently triggered a violation of the National Pollutant Discharge Elimination System (NPDES) and the Honolulu City and County grubbing and grading ordinances. All activity ceased immediately while DLNR staff, in consultation with the Department of Health, Clean Water Branch and the County Department of Planning and Permitting, learned about these permits and initiated steps towards compliance. However, due to the very technical subject matter, staff determined the need for a consultant that was then procured using a portion of the federal RTP funds.

The NPDES was approved by the Department of Health and the Honolulu City and County approved the final grubbing and grading permits in 2009. Under a ROE and Special Use Permit, the SIOHVA volunteers once again resumed site preparation and a few of the various riding venues are completed. The construction schedule of the current grubbing and grading permits is being revised with support from the DLNR Engineering Division and pro bono by the consultant – the timeline will be revised to extend the project into the year 2011.

CONCLUSION

The Sand Island OHV Riding Area (commonly referred to as the Sandbox) is a one-of-a-kind pilot project, proposed as a collaboration between the SIOHVA community volunteers and riders, the Department through DSP staff support and a portion of the Park, and with federal seed money allocated by NAH, and ideally future funding support through private donations, to develop an additional authorized and managed location for Oahu OHV riders and enthusiasts to recreate. This is the first authorized OHV riding area in a State Park in Hawaii, and the third OHV area established on State Land. The other authorized OHV riding area is located in the Waiakea Forest Reserve on the Big Island and is managed by NAH.

SIOHVA is a registered not-for-profit organization dedicated to the promotion of “Fun, Safe, and Responsible OHV activities through the education of its members.” SIOHVA will continue to use donated equipment and labor to create and maintain safe riding tracks and trails in the subject location. Pursuant to the SIOHVA Management Plan for the proposed Park, the OHV Riding Area will have areas dedicated to particular motorized uses, these include: off-highway motorcycles, all-terrain vehicles (ATVs) and 4x4 vehicles and riderless remote control vehicles. Non-motorized use includes a venue dedicated strictly to bicycles (BMX). Nonpermanent supporting infrastructure will include parking and picnic areas, graded spectator areas, temporary portable toilets and landscaping.

Currently there are several canoe clubs with Special Use Permits for the Park to store canoes and train along the shoreline – both SIOHVA and the canoe clubs have agreed to work together on seasonal parking issues and stewardship of common parking areas. Grace Pacific currently has a stockpiling permit for his location and is in collaboration with SIOHVA in siting their operations. Grace Pacific has donated numerous concrete wharf-butt pilings for erosion and parking control and recycled asphalt for use in the parking areas. Gate and club membership fees would be assessed for riders to support the cost of insurance and maintenance of the respective venues.

Lateral shoreline access will not be impinged upon, as the proposed riding area is mauka of a management access road fronting the shoreline – OHV use will be prohibited along the shoreline and be mauka of the erosion control device in place pursuant to the permit requirements

DSP does not have the funds or expertise to establish this new riding area – it is only possible through the volunteer commitment of SIOHVA and the initial influx of NAH federal funds. DSP has established a reliable working relationship with SIOHVA and has determined that the public benefit of this project is worth the time spent on issues associated with this collaboration. There is a covenant related to acquisition of the Park with federal Land and Water Conservation Funds that mandates the Park be used exclusively for outdoor recreation. This project takes a passive and oftentimes illicitly used portion of the Park and vastly enhances public recreational use and value.

The Park OHV area will remain part of the Sand Island State Recreation Area, but is to be developed and managed for OHV use by the SIOHVA through a Revocable Permit with the Department upon approval by the Board.

RECOMMENDATION:

That the Board:

1. Authorize the Chairperson to issue a one year, month-to month Revocable Permit to SIOHVA to manage a portion of the Sand Island State Recreational Area for OHV use on terms and conditions that are to be negotiated by the Chairperson and further subject to the following:
 - a: Terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State and the recreational uses of the subject area;
 - b: Review and approval by the Department of the Attorney General.

Respectfully submitted,



DAN QUINN

Division of State Parks Administrator

APPROVED FOR SUBMITTAL:



AURA THIELEN

Chairperson

Board of Land & Natural Resources

Exhibit 1: Project Area Map



